

REMARKS

By this Amendment, Applicants amend the specification and drawings. In addition, claims 1, 2, 5-7, 10, 11, 13, and 17-19 have been amended to improve form and correct typographical errors. No new matter has been added by any of these amendments.

In the last Office Action, the Examiner rejected claims 1-16 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,587,698 ("Dosch"); and rejected claims 17-19 under 35 U.S.C. § 103(a) as unpatentable over *Dosch*.

REJECTION OF CLAIMS 1-16

Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(e) as anticipated by *Dosch* because the cited reference fails to expressly or inherently teach each and every element of the claim. In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), each and every element of the claim in issue must be found, either expressly or under principles of inherency, in a single prior art reference. "The identical invention must be shown in as complete detail as contained in the... claim." M.P.E.P. § 2131 (8<sup>th</sup> Ed., Feb. 2003).

*Dosch* fails to expressly or inherently teach at least an electronic apparatus, as recited in claim 1, comprising, amongst other things, a holding portion which detachably holds a radio communication card including an antenna, a metal plate on which the holding portion is provided, and a connecting portion for data communication with the radio communication card held by the holding portion, wherein the holding portion is arranged to hold the radio communication card in a manner such that the antenna is

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located outside of the holding portion and the minimum distance between the antenna and the metal plate is 1 mm or more. In contrast, *Dosch* merely discloses a plug-in communication card that permits radio communication on a portable computer, such as a laptop (1:21-26). That is, *Dosch*'s disclosure is directed to a plug-in communication card including a body 1, a transmit and receive means 4, an antenna 6 for radio communication, and a display means 17 for displaying an operating state (Abstract, FIG. 1 and related text). It is not directed to an electronic apparatus configured as recited in claim 1, at least to which a radio communication card can be detachably held.

Therefore, for at least the above reason, the rejection of claim 1 under 35 U.S.C. § 102(e) as anticipated by *Dosch* should be withdrawn, and claim 1 deemed allowable. Claims 2-4 are allowable by virtue of their dependence on allowable claim 1, in addition to the patentable subject matter respectively recited therein.

Further, claims 5, 10, and 13 contain subject matter overlapping patentable subject matter recited in claim 1. Hence, they are allowable at least for similar reasons discussed above for claim 1, in addition to other patentable subject matter recited therein. Claims 6-9, 11, 12, and 14-16 are allowable at least by virtue of their dependence on allowable claims 5, 10, and 13, in addition to patentable subject matter respectively recited therein.

#### REJECTION OF CLAIMS 17-19

Applicants respectfully traverse the rejection of claim 17 under 35 U.S.C. § 103(a) as unpatentable over *Dosch* because the Examiner has failed to present a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three

basic criteria must be met. First, the Examiner must show some suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, the Examiner must show a reasonable expectation of success. Finally, the Examiner must show that the prior reference(s) teaches or suggests all claim elements. M.P.E.P. § 2143 (8<sup>th</sup> Ed., Feb. 2003).

The rejection of claim 17 under 35 U.S.C. § 103(a) fails to meet the above three basic criteria. Particularly, *Dosch* fails to teach or suggest an electronic apparatus, as recited in claim 17, including at least a holding portion which detachably holds a radio communication card including an antenna, a connecting portion for data communication with the radio communication card held by the holding portion, a slide switch, a rotary switch, and a setting section which sets operating modes of the apparatus in accordance with combinations of shift positions of the slide and rotary switches. *Dosch* merely discloses a plug-in communication card that permits radio communication on a portable computer, such as a laptop (1:21-26), as discussed above for claim 1.

Further, on page 5, the Examiner correctly notes that *Dosch* does not teach a slide switch or a rotary switch, as recited in claim 17, but alleges that it would have been obvious to use a slide switch and a rotary switch in the plug-in communication card taught by *Dosch*. *Dosch* does not teach or suggest using any type of switches in its plug-in communication card.

The Examiner asserts on pages 5 and 6 that it would have been obvious to use a slide and rotary or any shape of switches in the plug-in communication card taught by

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*Dosch* because switches can be used on an electronic device and all kinds of switches operate on the same principle. This assertion is groundless and not based on any evidence presented by the Examiner. Even if *Dosch* were to teach or suggest a slide switch and a rotary switch in a plug-in communication card (which it does not), it would still not yield the electronic apparatus of claim 17, at least to which a slide switch and a rotary switch are included and a radio communication card can be detachably fitted.

Therefore, the rejection of claim 17 under 35 U.S.C. § 103(a) as unpatentable over *Dosch* can not be sustained and should be withdrawn. Claim 17 is allowable, and claims 18 and 19 are allowable at least by virtue of their dependence on allowable claim 17, in addition to the patentable subject matter respectively recited therein.

### CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of pending claims 1-19.

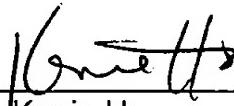
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 30, 2003

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**Attachments:**      **Replacement Drawing Sheet for FIGS. 7 and 8**  
                                **Annotated Drawing Sheet for FIGS. 7 and 8**

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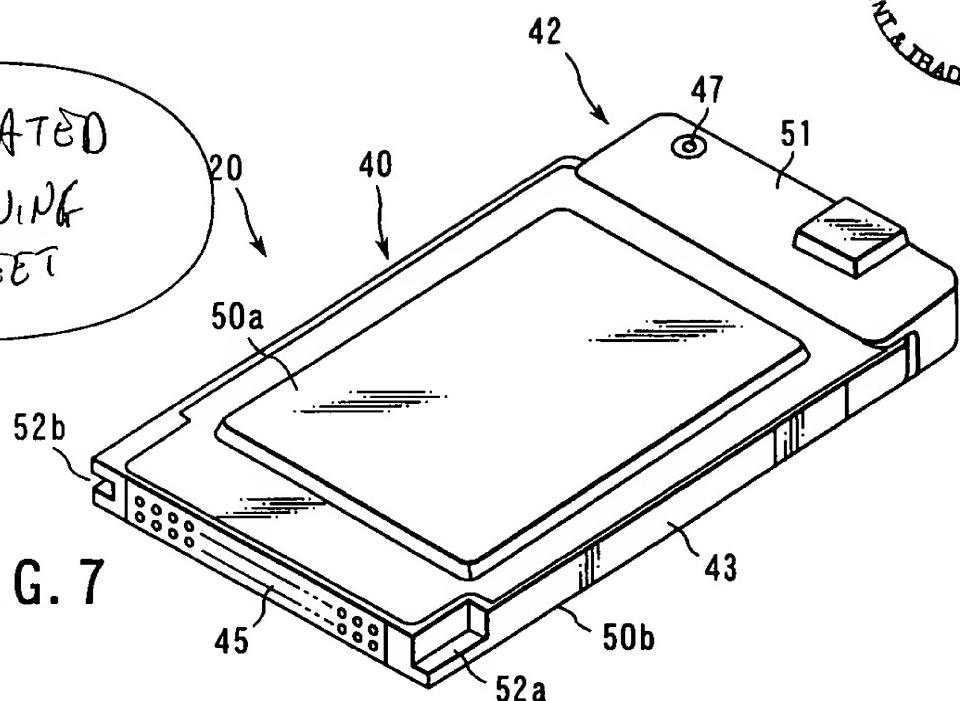


FIG. 7

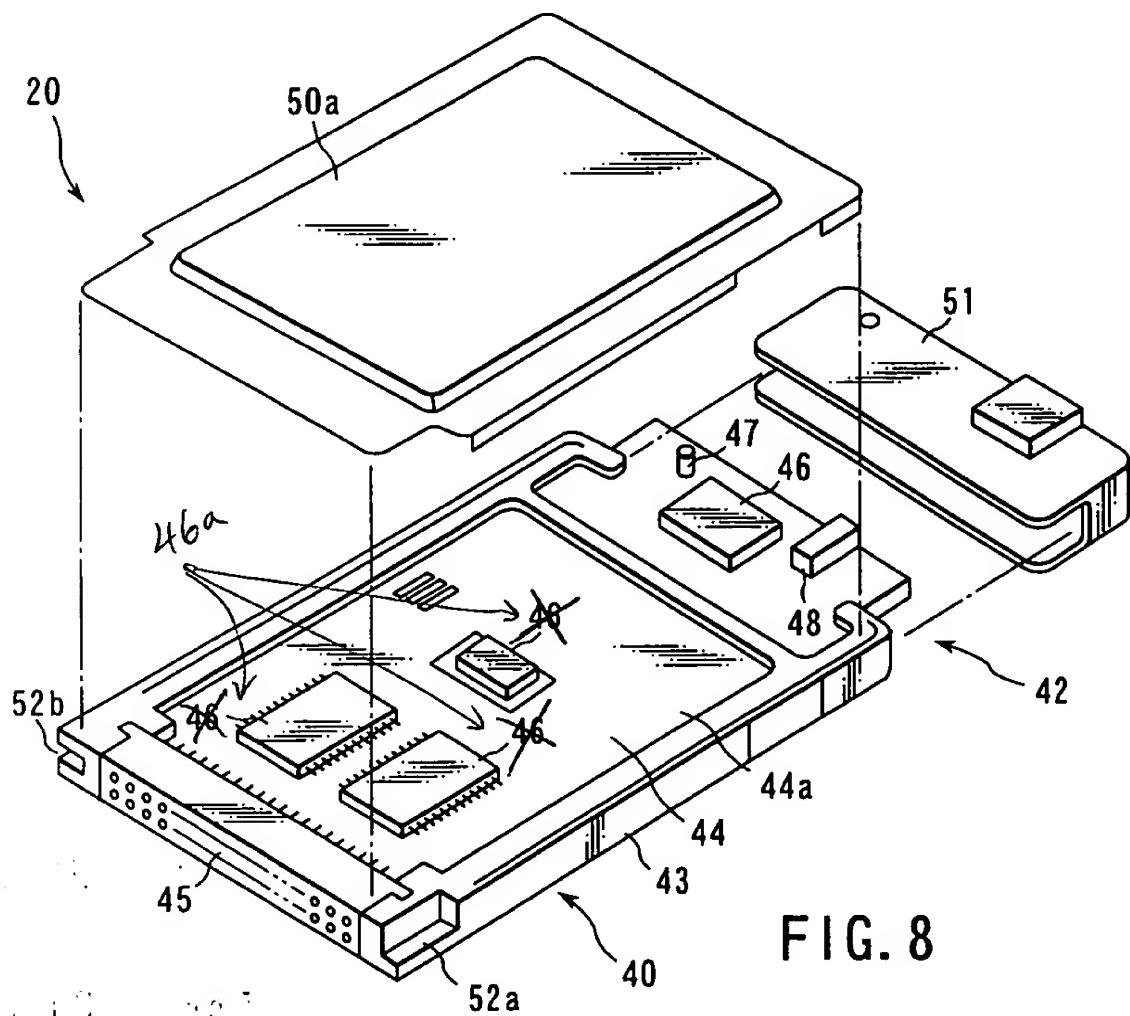


FIG. 8